

REMARKS

By this Amendment, claims 19, 24 and 26-28 have been cancelled without prejudice to or disclaimer of the subject matter contained therein; and claims 1, 7, 8, 17, 18, 22, 25, 29-34 and 42 have been amended; leaving claims 1-18, 20-23, 25 and 29-42 pending in the application. Claims 35-39 were withdrawn from consideration. No new matter is added by the amendments. Favorable consideration of this application is respectfully requested in light of the following remarks.

Rejection Under 35 U.S.C. § 112, ¶2

Claims 7, 8, 28 and 30-32 were rejected under 35 U.S.C. § 112, ¶2.

Claims 7 and 8 have been amended to change "the first liquid medium" to "the first fluid medium" to be consistent with claim 1.

The features of cancelled claim 28 have been incorporated into claim 1.

Claim 30 has been amended to recite "a lateral extruder."

Claims 31 and 32 have been amended to change "the product" to "the elastomer mixture." (Claims 33 and 34 have also been amended in this same manner.)

It is submitted that claims 7, 8, 28 and 30-32 are in compliance with the requirements of 35 U.S.C. § 112, ¶2. Therefore, withdrawal of the rejection is respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 1-3, 6-9, 17-19, 23, 32, 34 and 40-42 were rejected under 35 U.S.C. § 102(b) over Sturm et al.; and claims 1, 6-8, 17-19, 21, 22, 33, 40 and 41 were rejected under 35 U.S.C. § 102(b) Handa et al. (U.S. Patent No. 5,158,725) ("Handa"). Claim 19 has been cancelled.

Claim 1 has been amended to incorporate the features of claims 26-28. As claims 26-28 are not included in either of these grounds of rejection, these rejections are moot. Therefore, withdrawal of the rejections is respectfully requested.

Rejections Under 35 U.S.C. § 103

A. (1) Claim 4 was rejected under 35 U.S.C. § 103(a) over Handa in view of Neubauer et al. (U.S. Patent No. 6,200,509); (2) claim 5 was rejected under 35 U.S.C. § 103(a) over Handa in view of Hall et al. (U.S. Patent No. 5,501,804); (3) claims 9 and 10 were rejected under 35 U.S.C. § 103(a) over Handa in view of Takahashi et al. (U.S. Patent No. 4,927,587); (4) claims 11-14 were rejected under 35 U.S.C. § 103(a) over Handa in view of Semmekrot (U.S. Patent No. 5,158,784); (5) Claims 15 and 16 were rejected under 35 U.S.C. § 103(a) over Handa in view of Takahashi et al. and Semmekrot, and further in view of Gamblin (U.S. Patent No. 5,029,760); (6) claim 20 was rejected under 35 U.S.C. § 103(a) over Handa in view of Bohm et al. (U.S. Publication No. 2003/0111770); and (7) claims 9, 24 and 25 were rejected under 35 U.S.C. § 103(a) over Handa in view of Andersen et al. (U.S. Patent No. 5,151,026) ("Anderson").

Claim 24 has been cancelled. As discussed above, claim 1 has been amended to incorporate the features of claims 26-28. As claims 26-28 are not

included in any one of the grounds of rejection (a) - (g), each of the rejections is moot. Therefore, withdrawal of the rejections is respectfully requested.

B. Claims 26-30 were rejected under 35 U.S.C. § 103(a) over Handa in view of Andersen, and further in view of Güntherberg et al. (U.S. Patent No. 5,817,266) ("Güntherberg"). Claims 26-28 have been cancelled. The rejection is respectfully traversed.

Claim 1, as amended, recites a method for manufacturing an elastomer mixture for manufacturing rubber. The method comprises metering at least one elastomer to be processed for manufacturing the elastomer mixture into a mixing extruder; mixing and plasticizing and/or masticating the elastomer as the elastomer passes through the mixing extruder, the elastomer being present in a uniformly distributed form in a first fluid medium while being charged into the mixing extruder; introducing a reinforcing material in a second fluid medium to the elastomer; removing the first fluid medium and/or second fluid medium in several dewatering steps as the product passes through the mixing extruder; and incorporating a filler in several incorporation steps as the product passes through the mixing extruder; wherein the incorporation steps and dewatering steps alternate in succession.

In the Office Action, it is acknowledged that Handa and Anderson fail to suggest the features of "removing the first fluid medium and/or second fluid medium in several dewatering steps as the product passes through the mixing extruder; and incorporating a filler in several incorporation steps as the product passes through the mixing extruder; wherein the incorporation steps and dewatering steps alternate in succession," as recited in claim 1. Office Action at page 13, next-to-last paragraph.

However, the Office asserts that Güntherberg discloses at least two dewatering orifices and "[g]iven multiple charging and dewatering sites, it would have been obvious as a matter of choice to one of ordinary skill to alternate functionalities." Office Action at page 13, last paragraph. Applicants respectfully disagree.

As noted in the Office Action, Handa discloses that "[t]he materials may be fed to the extruder at one or more locations along the length of the barrel" (column 4, lines 37-38). However, Handa does provide any express disclosure regarding what specific "materials" may be fed to the extruder at such one or more locations. As such, Handa does not disclose or suggest "incorporating a filler in several incorporation steps as the product passes through the mixing extruder," as recited in claim 1.

Applicants note that Güntherberg discloses a twin screw extruder shown in the Figure. The extruder includes section (3) including a dewatering orifice, and section (5) with a dewatering orifice at the top. Güntherberg does not, however, disclose or suggest "incorporating a filler in several incorporation steps as the product passes through the mixing extruder" and, accordingly, does not suggest modifying Handa's method to include filler incorporation steps and dewatering steps that alternate in succession. Thus, because the combination of references, even if combined, does not suggest every feature of the method recited in claim 1, the references do not support a *prima facie* case of obviousness. See M.P.E.P. § 2143.03. Therefore, withdrawal of the rejection is respectfully requested.

Conclusion

For the foregoing reasons, allowance of the application is respectfully requested. Should the Examiner have any questions regarding this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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